

## **REMARKS**

Prior to entry of this Response:

- Claims **1, 3-15, and 18-30** were pending in the present application
- Claims **1, 3-15, and 18-30** stand rejected

Upon entry of this Amendment, which is respectfully requested for the reasons set forth below:

- Claims **31-38** will be pending
- Claims **31, 32 and 38** will be the only independent claims

### **Telephone Interview**

Applicants would like to thank the Examiner for the helpful telephone conversation held on July 30, 2004, with Applicants' representative.

The Examiner and Applicants' representative discussed the Examiner's interpretation of the Adams reference.

The Examiner helpfully clarified that when the Examiner refers to the "wheels" of Adams on page 4 of the Office Action, the Examiner is referring to the "three reels" of a conventional slot machine. The Examiner clarified that the Examiner has interpreted the spinning of three standard slot machine reels as teaching "an automated session comprising a plurality of lottery outcomes."

While no formal agreement was reached with respect to patentability, we are grateful for the opportunity to discuss the present rejection with the Examiner.

### **Section 102(e) and 103(a) Rejections**

Claims **1, 3-9, 11-15, and 18-28** stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,848,932 issued to Adams ("Adams"). Claims 10, 29 and 30 stand rejected as being obvious over Adams in light of Graves. We respectfully traverse the Examiner's Section 102(e) and 103(a) rejections.

All of Claims 1, 3-9, 11-15, and 18-30 have been canceled, however. Accordingly, the rejection of the canceled claims is moot. The claims have been canceled solely in order to expedite issuance of the present application. We intend to pursue the subject matter of the canceled claims as originally filed and / or as now canceled in a continuing application.

## **New Claims 31-38 Contain Allowable Subject Matter**

### **Independent Claims 31 and 38**

None of the cited references allow for a player to indicate a preference for how outcomes of lottery games are revealed to the player. In contrast, various embodiments of the present invention allow a player to indicate how he would like lottery information to be delivered (e.g., to a communication device associated with the player). Further, none of the cited references suggests storing a plurality of game outcomes at a device, and then revealing the lottery game outcomes, much less revealing the outcomes in accordance with a parameter selected by a player. None of the references even hints at the desirability of allowing a player to indicate how he would like determined outcomes revealed to him. None of the references even remotely hints at instant lottery tickets, as recited in new independent Claim 38. Accordingly, no combination of the cited references suggests any of the following features:

- *receiving at least one parameter for revealing lottery game outcomes, in which the at least one parameter is selected by the player;*
- *storing the plurality of lottery game outcomes at a device that is associated with the player;*
- *after storing the plurality of lottery game outcomes, revealing each lottery game outcome to the player in accordance with the at least one parameter*

as recited in new independent Claim 31; or

- *receiving at least one parameter for revealing outcomes of instant lottery tickets, in which the at least one parameter is selected by the player;*
- *determining a plurality of instant lottery tickets, each instant lottery ticket having a respective outcome;*
- *storing the plurality of instant lottery tickets at a device that is associated with the player;*
- *after transmitting the plurality of instant lottery tickets to the device, revealing to the player the respective outcome for each instant lottery game ticket in accordance with the at least one parameter*

as recited in new independent Claim 38.

### **Independent Claim 32**

None of the cited references suggests receiving a preference from a player related to the delivery of game outcomes. Graves and Adams generally describe the generation of game outcomes and the providing of information about game results to a player.

Even though Graves discusses accepting various types of player preferences for game play, neither reference even remotely hints at the desirability of allowing a player to indicate a preference for how delivery of game outcomes or information about game outcomes is to be delivered to the player.

In contrast, various embodiments of the present invention allow for a player to specify that outcomes are delivered, for example, to a communication device according to a schedule (e.g., once an hour). The references do not suggest, in any combination, the following features:

- *receiving from a player at least one preference for delivery of game outcomes;*
- *in accordance with the at least one preference for delivery of game outcomes, transmitting the plurality of game outcomes to a communication device that is associated with the player*

as recited in new independent Claim 32.

### Claim 33

Claim 33 is allowable over the cited references for at least the same reasons as independent Claim 31. The references do not suggest features generally directed to either *receiving from the player a preference for revealing game outcomes* or *revealing at least one of the plurality of game outcomes via the communication device in accordance with the preference for revealing game outcomes*, as recited in new Claim 33.

### Claim 34

None of the cited references suggests a feature of *revealing at least one of the plurality of game outcomes via the communication device in response to a signal from a lottery server*, as recited in new Claim 34.

### Claims 35-37

None of the cited references suggests in which transmitting game outcomes in accordance with at least one preference for delivery (selected by a player) comprises *transmitting a second game outcome a predetermined period of time after transmitting a first game outcome*, as recited in new Claim 35. In contrast, various embodiments of the present invention allow for game outcomes to be transmitted to a communication device periodically in accordance with a player preference. New Claim 36 depends from Claim 35 and is allowable for at least the same reasons.

Similarly, none of the cited references hints at *automatically transmitting at least one of the plurality of game outcomes to the communication device in accordance with a schedule*, as recited in new Claim **37**. There is no hint in the cited references of transmitting outcomes to a communication device in accordance with a schedule.

Accordingly, we submit that each of new Claims **31-38** contains allowable subject matter.

**Conclusion**

It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

Please charge any fees that may be required for this Amendment to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Amendment timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at [mdowns@walkerdigital.com](mailto:mdowns@walkerdigital.com).


**Petition for Extension of Time to Respond**

Applicants hereby petition for a one-month extension of time with which to respond to the Office Action. Please charge \$55.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an additional extension of time is required, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

August 2, 2004  
Date

  
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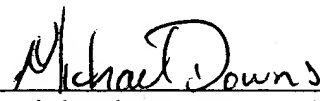
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